

REMARKS**Summary of the Office Action**

Claims 10-12 and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,517,545 to Nakamura et al. (hereinafter "Nakamura").

Claims 10-12 and 15-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0247080 to Feda (hereinafter "Feda").

Claims 2-4 and 6-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0247080 to Feda (hereinafter "Feda").

Claims 1, 5, 9, 13, 14 and 18 are allowed.

Summary of the Response to the Office Action

Applicants have amended each of claims 10-12 and 15-17 to be placed in dependent form in light of the Examiner's indication of allowed claims 9 and 14. Accordingly, claims 1-18 remain currently pending and under consideration.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 10-12 and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nakamura. Claims 10-12 and 15-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Feda. Claims 2-4 and 6-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Feda. Applicants respectfully request withdrawal of these rejections for at least the following reasons.

Applicants have amended each of claims 10-12 and 15-17 to be placed in dependent form in light of the Examiner's indication of allowed claims 9 and 14. Accordingly, claims 10-12 and 15-17 are now also in prima-facie condition for allowance at least because of their dependence from independent claim 9 or 14 which the Office Action has indicated as allowed. As a result, withdrawal of the rejections of claims 10-12 and 15-17 is respectfully requested.

As to the remaining rejections of claims 2-4 and 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Feda, Applicants respectfully submit that Feda should not be considered as prior art against claims 2-4 and 6-8 of the present application under any subsection of 35 U.S.C. § 102. In section 12 of the PTOL-326 form included as page 1 of the Office Action dated March 3, 2006 in the instant application, the Examiner indicated acknowledgement of Applicants' claim for foreign priority under 35 U.S.C. § 119 and also the Examiner acknowledged receipt of the certified copy of the priority document at this portion of the Office Action. The priority document is Japanese patent application no. 2002-103881 which was filed in Japan on April 5, 2002. Pursuant to 37 C.F.R. § 1.55(a), Applicants submit concurrently herewith a verified translation of Japanese patent application no. 2002-103881. The U.S. effective filing date of Feda is March 4, 2003 which is after the priority date to which this application is entitled. Accordingly, Applicants respectfully submit that Feda should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102 and 103 should be withdrawn for at least the foregoing reasons.

The Examiner is thanked for the indication that claims 1, 5, 9, 13, 14 and 18 are allowed. Accordingly, for at least the reasons described previously, Applicants respectfully submit that all of the pending claims 1-18 are now in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants respectfully request the entry of the Amendment to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP



By:

Paul A. Fournier
Reg. No. 41,023

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Customer No. 055694
DRINKER BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, DC 20005-1209
Tel.: (202) 842-8800
Fax: (202) 842-8465